

No. 89-7645-CFY
Status: GRANTED

Title: Dionisio Hernandez, Petitioner
v.
New York

Docketed:
May 23, 1990

Court: Court of Appeals of New York

Counsel for petitioner: Kimerling, Kenneth

Counsel for respondent: Hynes, Charles J., Weinstein, Peter A.

| Entry | Date | Note | Proceedings and Orders |
|-------|-------------|------|--|
| 1 | May 23 1990 | G | Petition for writ of certiorari and motion for leave to proceed in forma pauperis filed. |
| 3 | Jun 27 1990 | | DISTRIBUTED. September 24, 1990 |
| 4 | Jun 28 1990 | X | Brief of respondent New York in opposition filed. |
| 8 | Sep 28 1990 | | REDISTRIBUTED. October 5, 1990 |
| 10 | Oct 9 1990 | | Petition GRANTED. limited to the following questions: 1. Whether a prosecutor's proffered explanation that prospective Latino jurors were struck from the venire because he suspected they might not abide by official translations of Spanish language testimony constitutes an acceptable "race neutral" explanation under Batson v. Kentucky, 476 U. S. 79 (1986)? 2. Where a trial court has accepted the prosecutor's proffered explanation as being race neutral, what standard of review is to be applied by reviewing courts? Justice Souter OUT. ***** |
| 16 | Nov 5 1990 | | Joint appendix filed. |
| 12 | Nov 14 1990 | | Order extending time to file brief of petitioner on the merits until November 28, 1990. |
| 13 | Nov 23 1990 | | Record filed. * one vol., Appellate Division, Supreme Court of NY, 2nd Judicial Department. |
| 14 | Nov 28 1990 | | Brief of petitioner Hernandez filed. |
| 15 | Nov 28 1990 | | Brief amici curiae of Mexican American Legal Defense, et al. filed. |
| 18 | Dec 12 1990 | | Order extending time to file brief of respondent on the merits until January 7, 1991. |
| 19 | Dec 17 1990 | | SET FOR ARGUMENT MONDAY, FEBRUARY 25, 1991. (2ND CASE) |
| 20 | Jan 4 1991 | D | Motion of U. S. English, Inc., et al. for leave to file a brief as amici curiae filed. |
| 21 | Jan 7 1991 | | Brief of respondent New York filed. |
| 22 | Jan 9 1991 | | CIRCULATED. |
| 23 | Jan 22 1991 | | Motion of U. S. English, Inc., et al. for leave to file a brief as amici curiae DENIED. |
| 24 | Feb 6 1991 | X | Reply brief of petitioner Hernandez filed. |
| 26 | Feb 15 1991 | | Record filed. * Court of Appeals of NY-one volume. |
| 27 | Feb 25 1991 | | ARGUED. |